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DEMOCRATIC

GERMAN REPORT

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AND THE OTHERS?

On another page of this issue we publish details of the charges being levelled against top nazi war criminal Adolf Eichmann at his forthcoming trial in Jerusalem. We also publish extracts from the Israeli law under which Eichmann is being prosecuted.

Eichmann richly deserves the maximum punishment; but anyone who studies the text of the Israeli law will be struck by the fact that if similar legislation existed, and were enforced in West Germany, countless leading figures of the West German state would be behind bars, and not a few would be awaiting the hangman.

Let us just list a very short selection.

State Secretary Hans Globke, Chancellor Adenauer's personal assistant, and co-author of the nazi anti-Semitic legislation, is undoubtedly guilty of "a crime against the Jewish people" as defined in the Israeli law. He is liable to the death penalty.

General Adolf Heusinger, West German Chairman of the NATO Military Committee in Washington, has been shown by documentary evidence to be guilty of war crimes, specifically "murder, ill-treatment . . . of the civilian population of occupied territory". He is liable to the death penalty.

General Hans Speidel, Commander of NATO Ground Forces, Central Europe, has been shown by documentary evidence to be guilty of similar offences: in a libel action now pending before the British courts he has specifically not disputed his participation in such crimes. He is liable te the death penalty.

The list could be continued indefinitely. These men should be put on trial.

TOP MEDALS FOR TOP PEOPLE

This picture from the nazi archives shows General Friedrich Foertsch (left) being decorated with the "Knight's Cross" in 1944. Today Foertsch is Commander in Chief of the West German Wehrmacht.

Hitler awarded Foertsch the "Knight's Cross" on September 15th 1944 for the part he played in the nazi siege of Leningrad. The picture shows the medal being hung round his neck at a German H.Q. "somewhere in occupied Russia" on October 10th 1944.

The man pinning on the medal is Colonel-General Ferdinand Schoerner, convicted war criminal. Foertsch himself was sentenced to 25 years for war crimes and mass murder.

Recent photographs of Foertsch show that he wears the "Knight's Cross" in the place of honour on his new West German general's uniform. The other medals which he wears today include the "German Cross in Gold", the "Iron Cross First Class" and an assortment of medals handed out by nazi Germany's fascist allies.

"Restitution" for Nazi Officials

The West German Government is now preparing legislation to pay large sums in "restitution" to full-time officials of the Nazi Party who lost their jobs when the party was forcibly dissolved at the end of the war.

The Nazi Party and affiliated organisations, such as the SS, the Hitler Youth, the German Labour Front and more than fifty others, employed a huge staff of full-time officials, all of whom were selected because of their particular fervour for the nazi cause. When their organisations were dissolved by the allies, they lost their jobs and their pension rights. In the past years the West German Government has restored pensions to certain categories, particularly SS officers who enjoyed assimilated army rank, but many of the other nazi bureaucrats have been forced to work for their living.

The new legislation, drafted by the West German Ministry of Finance, will be known as the "Law for the Liquidation of Liabilities of the National Socialist Party". Since all the assets of the Nazi Party were seized after the war, all such "liabilities" would be paid for from the general budget.

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Reporting on the planned legislation, the West German magazine "Spiegel" pointed out on March 1st that it would, in a very few instances, deal with deserving cases, such as those of a person knocked down during the war by the car of a nazi Gauleiter, and since unable to claim compensation. "The other group hoping for financial aid will be much greater, however" the magazine stated. "It includes thousands of former Nazi Party officials who hope for compensation for lost pensions, and the award of damages because of the fact that after 1945 they suffered losses because of their previous nazi activities."

The magazine stated that although the draft legislation was ready for presentation to parliament, it was likely to be postponed because of the "unfavourable impression it would make abroad" if such legislation were enacted just at the time of the Eichmann trial.

"NO" TO NAZI CAMP VICTIMS

Premier Hinrich Kopf of West Germany's Lower Saxony Province said no when a large delegation of former anti-fascist resistance fighters and concentration camp inmates from the GDR requested permission to join in an Easter march of West German anti-fascists to the old nazi concentration camp at Bergen-Belsen. Kopf, a Social Democrat, even refused to speak with a representative of the GDR anti-fascists. Recently Premier Kopf sent greetings to a West German rally of former SS men.

Despite the refusal, the GDR committee of former inmates of Sachsenhausen Concentration Camp renewed their invitation to Kopf and to a list of West German city mayors and other interested persons to attend the opening ceremonies of the Sachsenhausen Memorial near Berlin on April 23rd.

Sachsenhausen is the third and last of the major concentration camp sites on GDR territory to become a memorial site, with monuments, museums and exhibits recalling nazi brutality and the courage of the anti-fascist prisoners from all over Europe. The other two, Buchenwald and Ravensbrueck, have become goals for tens of thousands of GDR visitors, especially school pupils, as well as countless foreign delegations and tourists.

"TRADE WITH GDR" — Say British MPs

British MPs, visiting the GDR's big Leipzig Fair in larger numbers than ever before, approved an increase in trade between the two countries. On March 6th, Lord Boothby and six Conservative MPs discussed trade questions with Walter Ulbricht, Chairman of the GDR State Council, and three days later Labour MPs talked over similar questions with Trade Minister Heinrich Rau.

Reporting from Leipzig on March 9th, "The Times" stated: "The east German Government intends to make full use of the opportunity to press the need for closer and longer-term trade relations, for a commercial agreement, and for eventual recognition of the *de facto* existence of two German states by Britain.

"Its arguments are not falling altogether on deaf ears," the "Times" continued. "While recognition of the German Democratic Republic is, in the opinion of most of the members of Parliament, only the ultimate step in a policy which must start with an official trade agreement, all support the idea of expanded trade. Their view, emphatically shared by the firms represented at the fair, is that it does not make sense for the British Government to keep on clamouring about more exports; and to give no encouragement to those who are trying to do business with east Germany."

The British firms at the Fair mentioned in the "Times" article occupy more than double the exhibit space this year as in 1960, and have leased more space for exhibits of their industrial products than any other non-socialist country except West Germany.

The "Times" cited drawbacks in the present trade relationship between Britain and the GDR, as mentioned by the GDR political leaders. A contract for Britain worth between £40 million and £50 million had to be given elsewhere by the GDR because the British Government was not ready to grant the British firms the usual credit facilities. West Germany had subjected Britain to pressure last year to throttle or at least not increase trade with the GDR, in connection with its threatened trade embargo.

"Mr. G. B. Drayson (C., Skipton) remarked at this point," the article said, "that a growing section of British public opinion was in favour of a *de facto* recognition of the German Democratic Republic; and Lord Boothby added that British commercial policy towards east Germany should be modelled on that towards Poland and Czechoslovakia and other communist countries . . .

"Certainly, the feeling of many of the M.P.s and representatives of British firms at the fair is that there is no reason why Britain should forgo the golden opportunities for business offered by the east German market from political scruple or fear of offending the Federal Government. If west Germany made use of them herself on a larger scale than anyone else, why not Britain?"

The "Times" quoted British businessmen in Leipzig who said that "the attitude of Bonn was that there should be no trade with east Germany; but if there had to be, then the Federal Republic wanted it for itself alone... West Germany did not trade with the German Democratic Republic for love, yet found it worth while to import commodities of a value of some £100 million a year." Imports of GDR commodities into Britain had proved worth-while and advantageous, it was pointed out, but like the exports to the GDR had been hampered by the lack of a satisfactory trade relationship.

Hitler's Generals Play Musical Chairs

Another former nazi general, Major General Burkhart Mueller-Hillebrand, has been appointed Deputy Chief of Staff at NATO Headquarters in Paris. He replaces General Friedrich Foertsch, convicted war criminal, who has become Inspector General of the West German armed forces. In his turn, Foertsch replaced General Adolf Heusinger, who has now reached the top of the ladder as chairman of the NATO Military Committee in Washington.

During the Second World War Mueller-Hillebrand headed the Organisational Department of Hitler's Army General Staff. Later, as Chief of the General Staff of the 3rd Army, he tried to halt the rout of the nazi troops after Stalingrad. Hitler decorated him with the German Cross in Gold. After the war he worked for the "US Army Historical Division", the code name under which nazi staff officers worked until the time was ripe for the open re-establishment of the Wehrmacht.

NEW PEACE TREATY MOVES

The Soviet point of view on the conclusion of peace with the two German states was clearly outlined in a memorandum handed to the West German Government on February 17th. Here are main points made in the memorandum, which was published on March 5th:

The Soviet Government considers the question of a peace treaty with Germany to be the main question at present in relations between the Soviet Union and West Germany and attaches the greatest importance to the solution of this problem . . .

Every sensible statesman realises that the frontiers established as a result of World War II are final, and that any government which seeks to change them is probably preparing to wage war for this purpose. This shows that a peace treaty is necessary. Enough time has passed for the necessity of a peace treaty to be recognised; this would solve the question of the occupation status of West Berlin and its transformation into a Free City.

It is sometimes said in the Federal Republic that conditions for solving this problem are not yet ripe because a peace treaty can allegedly only be concluded with an All-German Government after Germany is unified. This position would be understandable if Germany were really on the point of reunification; actually, however, the exact opposite is the case. The Government of the Federal Republic stubbornly resists all rapprochement and cooperation with the German Democratic Republic, follows an openly hostile attitude towards it and thus bars the only possible path towards restoring the nation's unity . . . To accept such a standpoint would mean postponing for many years a peaceful settlement with Germany.

The solution of the peace treaty problem cannot be made dependent on a disarmament agreement, as the Government of the Federal Republic claims. Its present policy makes the impression that it hopes to achieve its aims by force; this is the reason for the extensive military preparations and the reason why its Government clamours for nuclear weapons. The Federal Government proclaims that it has only peaceable intentions. We should be glad to believe this; by signing a peace treaty, the Federal Government could end the mistrust of its policies in many countries of the world.

Soviet proposals for solving the West Berlin problem foresee a Free City based on the conclusion of a peace treaty with both German states. This would grant the Federal German Republic broad opportunities to safeguard its interests in West Berlin, since in such a case its representatives would take part in the peace negotiations.

An entirely different situation would arise if the Federal Government insists on its negative attitude to a peace treaty with Germany. By so doing, it would rule out any chance of defending directly its own interests (in connection with the West Berlin problem, ed.).

The Soviet position does not rule out the chance of an interim solution for West Berlin before a peace treaty with Germany is signed, providing only that a strict time limit for the conclusion of the peace treaty is specified in advance. It must be recalled that an interim agreement on West Berlin can only be worked out by the parties directly concerned, and this does not include the Federal Republic.

If no peace treaty with both German states can be concluded within the specified time-limit, the Soviet Union and any other states wishing to do the same will sign a peace treaty with the German Democratic Republic. That would mean ending the occupation regime in West Berlin, with all the attendant consequences. In particular, this would mean that questions concerning the use of land, air and water communications which cross the territory of the German Democratic Republic could only be settled on the basis of appropriate agreements with the German Democratic Republic.

Some people in the Federal German Republic assert that we are trying to dictate to the West Germans. This is not true; we extend the hand of friendship to all of the people of Germany. The Soviet draft of a peace treaty with Germany is not an ultimatum. Should the Government of the Federal Republic disagree with any particular point in the draft treaty, it is welcome to make its own suggestions or to propose its own draft.

The Soviet Government is willing to discuss all constructive proposals made by the Federal Government . . .

The Soviet Union, as well as the nations friendly to it, are adamant in their determination to secure a peaceful settlement with Germany. Whether or not this problem can be settled with the participation of the Federal German Republic depends solely on the Federal Government. We shall do everything to come to terms on this question with our former allies in the war against Nazi Germany. But it should not be forgotten that the major powers have other, wider interests, which impel them to solve those questions which are ready for discussion. It is just these broader interests and not the German question which ultimately determine their position at negotiations. However, if they still refuse to share in a peaceful settlement, we would conclude a German peace treaty with those countries which are willing to sign one.

W. German Team Bans Self

The West German ice hockey team in the World Championships cut off its nose to spite its face on March 12th, when it refused to play the scheduled game against the team of the German Democratic Republic in Switzerland.

The West German team, acting on instructions from Bonn, cancelled the game on the grounds that the German Democratic Republic does not exist. If the non-existent team of the non-existent GDR had won the game, the West Germans would have to have stood to attention while the GDR flag was raised, and the GDR anthem was played.

Four days earlier, the US ice hockey players had found no difficulty in doing this when the GDR beat them.

By its move, which is likely to be repeated in other branches of sport, West Germany is liable to find itself excluded from a large number of international sports events, since the GDR is a full member of most important international sports bodies.

"Refugees" through W. German Eyes

The following article is reprinted from the West German newspaper "Frankfurter Rundschau" of February 21st:

The majority of the young border-crossers (to the West, the ed.) have no political motivation. Statistical investigations have shown that those who cross this unpitying frontier in the heart of our country because of a desire for freedom make up little more than five per cent of the total. Most of the young people who leave their homes are enticed by the apparent lustre of our prosperity. I have spoken with many of them in the past few weeks. I met some in ordered circumstances, in factories and on building sites, in offices and warehouses. But I also met others in the questionable atmosphere of nocturnal big city dives, behind shooting-galleries and on the loading-platforms of market halls, restless and harassed. These eighteen or twenty-year-olds have lost their way in life. They have failed in the labyrinth of our society, they did not know what to do with the freedom which they were abandoned to.

At the start of every refugee existence are barracks, questionnaires and the talk with representatives of the authorities. This unalterable custom is the first disappointment for all who have succeeded in the adventure of fleeing. They hope to be welcomed like heroes, but find instead the minute precision of an exact government machinery which accompanies them at every step and which tells them just what they have to do. A large number of the young refugees feel this to be a yoke. And many a young man tries to escape this yoke with just the same stubbornness with which he planned his flight ... he disappears from the surface without having any solid ground under his feet.

Here are some comments by young refugees from the Zone (the GDR, the ed.), in no particular order but just as they were taken down in short-hand: Rolf Werner, 20, machinist: "I get sick and tired of being told what to do all the time. Nothing but questions and rules on what to do and what not to do — it was better back in the East. In the FDJ (Free German Youth organisation, the ed.) they at least did not ask so many questions, but decided what you should do, and it was usually correct." Rolf, at present a casual labourer, is planning to return East very soon. — Peter Schubert, 19, mechanic: "Wherever I go, people look at me askance. I've already changed my job three times; and they say that the refugees are given all the breaks. You can't find friends anywhere." — Heinz Schuster, 22, lathe operator: "The first thing they told me to do here was to join an organisation. And that is just what I was fed up with back home ..."

"We can't find friends." That is what one hears again and again when talking with young refugees from the Soviet Zone and it sounds like an accusation. Then, in addition, there is the often not particularly inviting housing for the young people from the East. It is not a very nice visiting card for the city of Frankfurt when youth from the East are provided with only an old air-raid-shelter and a barracks camp. "The city has promised to give us a building" we were told by the Juvenile Office, whose staff, it must be admitted, has done everything it can to take care of these homeless young people. But the rate of those returning eastwards to their old homes is higher than it used to be ...

Teachers Come Home

Six teachers who had gone to West Germany as refugees and later returned to the German Democratic Republic told of their experiences at a recent press conference in East Berlin.

Frau Rita Keilbar left the GDR ten years ago to join her present husband in Bavaria. "I could not get a job as a teacher, because I was told at every turn that I had received a communist training. I finally got a job as waitress in a mediocre restaurant where I worked thirteen to fourteen hours a day without any set wage. Our daughter suffered the most in her school. Since she does not belong to any church she was treated like a pariah. She found no friends and was terribly unhappy under these circumstances. I shall never forget the conditions we had to live under, and the financial worry. I came back to the GDR for the sake of my children. Now our worries are over."

Kurt Heering, a teacher from Oschersleben in the GDR, had difficulties getting a flat and left in anger for West Germany. He was unable to get a teacher's job because he did not belong to any church, and therefore took a job in a dairy to support himself. Five months later he returned to the GDR.

Magda Pick, a young teacher from Mecklenburg, was another to regret her decision to leave the GDR. "I had a false picture of the situation in Germany and did not believe what our newspapers said about conditions in West Germany but rather what the western radio stations said." She too returned after five months. She is now working as a bank clerk but will take up teaching again in the autumn.

Brigitte Sicker, last of the teachers to address the press conference, told how she had been cross-examined by West German and American intelligence officers in the refugee camp in West Berlin. "Things in the West are not so shiny as some young people imagine ... People are judged there according to how much money they have and not according to their value as a person."

Two West German teachers who have recently moved to the German Democratic Republic also spoke at the press conference.

Win a New Reader

Fill in the name and address of a friend, work-mate or acquaintance on the form below, and send it to

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W. GERMAN M. P. JOINS NEW PARTY

A new peace party, founded recently in West Germany, received new impetus when Arno Behrisch, Social Democratic M. P., officially joined its ranks at the end of February. The party, called the Deutsche Friedens-Union (German Peace Union), has been formed by ardent opponents of rearmament and atomic war, many of whom have been excluded from the Social Democratic Party for their stand on these questions. The Deutsche Friedens-Union plans to run candidates in the West German general elections later this year.

Arno Behrisch, 48, who was persecuted by the nazis and later played an active role in the Danish resistance movement, explained his reasons for quitting his old party and joining the new one in an open letter to all Social Democrats.

"After the war," the letter stated, "German Social Democrats opposed the policy initiated by Konrad Adenauer, a policy which involves our country in an armaments race which overtaxes our strength. The Federal Government has already spent almost 100 thousand million marks for rearmament, more than Hitler spent for war preparations between 1933 and 1939. The demand for atomic weapons for Germany means national suicide. The Social Democratic Party made this clear in its campaign 'Against Atomic Death'. The Social Democratic Party also made constructive proposals for German unity...

"Despite set-backs, a crushing defeat of Adenauer's totally unsuccessful policies was near at hand. And then something incomprehensible occurred," Herr Behrisch stated. "Willy Brandt, Herbert Wehner and Fritz Erler (Social Democratic leaders, the ed.) suddenly tried to outflank the Christian Democrats on the right with a suicidal change of direction... They are now trying to paper over all differences between the two parties. They describe the whole line of the Christian Democrats as proper and correct; and they promise 'to do things not differently, but only better'. The voter asks himself why he should vote for the Social Democrats when they tell him that everything the Christian Democrats had been doing was correct."

"What is to be done?" the open letter continues. "I have always criticised the policy of capitulation to Defence Minister Strauss. The result has been a party investigation against me to decide whether I have been 'damaging the Party'. But in Hof, where I have been working in an allegedly 'damaging' manner, the party is growing and winning elections and is immune to all infiltration. The party leadership now want either to muzzle me or replace me. This leaves me without a choice: I must fulfill the mandate of my voters...

"In this situation I am obliged to follow my conscience and continue to struggle for the ideas which were until recently advocated officially by the party. I cannot do that in the Social Democratic Party. I must therefore resign from the party which I have served for over thirty years. I shall always remain a socialist. But for this struggle I choose the platform of the Deutsche Friedens-Union, which deserves the vote of every Social Democrat, so that Adenauer's policies may be defeated. This is the only way to save the people of our country. The Deutsche Friedens-Union today represents the best ideas of the best days of Social Democratic opposition. Let us oppose the 'bedroom slipper' socialists. Let us destroy the atomic weapons before these weapons annihilate us. Let us struggle for a Germany which is outside the blocks. We can only defeat Adenauer when we are clearly in favour of something totally different from the Christian Democrats."

The platform of the new Deutsche Friedens-Union calls for:

1. The immediate halting of rearmament and the rejection of all atomic weapons in the Federal Republic.

2. Negotiations on an atom-free zone in Europe as first step to general disarmament.

3. The military neutralisation of Germany.

4. An end to the cold war propaganda.

5. Immediate negotiations to end tension within Germany.

Trade Union Candidates Sacked

More and more candidates for factory council elections in West Germany are being arrested, "investigated" by the political police, or sacked by the employers in an effort to comb out militant trade union representatives, or intimidate the workers so they do not choose progressives in the coming factory council elections.

Here are a few examples of this method:

Franz Dohm, a miner in Gelsenkirchen, was sacked by the mine-owners after he was chosen as a candidate for the factory council. The firm had previously attempted to pressure him into refusing the candidacy.

In the same city a war invalid with six children, Johann Lerch, employed by a large chemical firm, was sacked after he had been placed on the candidates' list. Lerch had taken an active part in the peace movement.

Two factory council members in Hildesheim, one at a metal plant and the other in a printing shop, were arrested at their place of work by the political police; this was seen as an attempt to prevent their re-election. As in many other cases of this nature, the two workers were accused of having been members of the Comunist Party, which has been forbidden in West Germany since 1956.

Easter Marches Against A-Bases

For the first time, large-scale West German protest marches are planned for Easter to protest against nuclear weapons for the Bundeswehr. The idea of the protest march, based on British experience at Aldermaston and elsewhere, will be changed to suit West German conditions; instead of one central march, there will be several protests in different parts of the country.

The main group will start on March 30th at the missile range of Bergen-Hohne, near the former Bergen-Belsen Concentration Camp, and will end on April 3rd, after rallies in Hamburg, Bremen, Hanover, Brunswick and Goettingen. A second group of marchers will begin at the missile base of Miltenberg and will include the cities of Heidelberg, Stuttgart, Mannheim and Offenbach, and a third group will centre on the Ruhr area, in a two-day march beginning in Dusseldorf, Essen and other cities and ending in Dortmund.

A fourth march is also planned for Bavaria in the south.

Documents of the Day

THE CHARGES AGAINST EICHMANN

On April 11th, Adolf Karl Eichmann is due to appear before an Israeli Court charged with mass murder and other crimes. On this page we present details of the charges made against him.

FIRST COUNT

Nature of Offense: Crime against the Jewish people, an offense under section 1(a)(1) of the Nazi and Nazi Collaborators (Punishment) Law, 1950 and section 23 of the Criminal Code Ordinance, 1936.

Particulars of Offense: The accused, in the period between 1936 and 1945, committed acts constituting a crime against the Jewish people in that, together with others, he caused the killing of millions of Jews–

a) by means of extermination camps established and organized for the purpose of carrying out mass murder;

b) by means of operational groups (Einsatzgruppen) in the German-occupied countries of Eastern Europe;

c) in labor camps in Germany and German-occupied countries, where the Jews were enslaved, starved and tortured;

d) by means of local concentrations and mass deportations, carried out under harsh, inhuman conditions in Germany and other Axis countries and in areas occupied by them, that is to say, in the following countries; Germany; Austria; Italy; Bulgaria; Belgium; USSR and the Baltic States, Lithuania, Latvia and Estonia which were annexed to the USSR; Denmark; Holland; Hungary; Yugoslavia; Greece; Luxembourg; Monaco; Norway; Poland; Czechoslovakia; France; Rumania.

The accused committed these acts whilst functioning as head of the Department for Jewish Affairs of the Gestapo in Berlin and, in 1944, also as head of the Eichmann Special Operations Unit (Sondereinsatz-Kommando Eichmann) in Budapest.

In the above capacities, the accused was responsible for carrying out a scheme for the physical destruction of the Jews, a scheme known as "the final solution of the Jewish problem".

The accused committed these acts with intent to destroy the Jewish people.

SECOND COUNT

Nature of Offense: (Same as in First Count).

Particulars of Offense: The accused, in the period between 1939 and 1945, committed acts constituting a crime against the Jewish people, in Germany and other Axis countries, in areas occupied by them and in areas controlled by them de facto, in that, together with others, he placed millions of Jews in living conditions calculated to bring about their physical destruction–

a) in forced labor camps;

b) in ghettoes;

c) in transit camps and places of concentration;

d) by mass deportation and transportation under inhuman conditions.

The accused committed these acts whilst functioning in the capacities specified in the first count and with intent to destroy the Jewish people.

THIRD COUNT

Nature of Offense: (Same as in First Count).

Particulars of Offense: The accused during the period of the Nazi regime, committed acts constituting a crime against the Jewish people in that, together with others, he caused serious physical and mental harm to millions of Jews, in Germany and other Axis countries, in areas occupied by them and in areas controlled by them de facto, by enslaving, starving, deporting and persecuting them and by detaining them in ghettoes and concentration-camps under inhuman conditions of humiliation, starvation, overcrowding, oppression and torture.

The accused committed these acts whilst functioning in the security service (S.D.) of the S.S. until 1939 and in the Gestapo from 1939 to the end of the Second World War. By these acts the accused intended to destroy the Jewish people.

FOURTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in the year 1942, committed in Germany acts constituting a crime against the Jewish people in that, together with others, he devised measures for the sterilization of Jews in Germany and German-occupied countries with a view to preventing births among the Jews and did so with intent to destroy the Jewish people.

The accused committed these acts whilst functioning as head of the Department for Jewish Affairs of the Gestapo in Berlin.

FIFTH COUNT

Nature of Offense: Crime against humanity, an offense under section 1(a)(2) of the Nazis and Nazi Collaborators (Punishment) Law, 1950, and section 23 of the Criminal Code Ordinance, 1936.

Particulars of Offense: The accused, in the period between 1939 and 1945, committed in Germany and other Axis countries, in areas occupied by them and in areas controlled by them de facto, acts constituting a crime against humanity in that, together with others, he caused the murder, destruction, enslavement and deportation of the civilian Jewish population to those countries and areas.

The accused committed those acts whilst functioning in the capacities specified in the first count.

SIXTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in carrying out the acts described in counts 1 to 5 above, persecuted Jews on national, racial, religious and political grounds.

SEVENTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in the period of the Nazi regime, in Germany and other Axis states, in areas occupied by them and in areas controlled by them de facto, committed acts constituting a crime against humanity in that, together with others, he caused the spoliation of the property of Jews resident in those countries by inhuman measures involving robbery, coercion, terrorism and torture.

The accused committed these acts whilst functioning in the capacities specified in the first and third counts.

EIGHTH COUNT

Nature of Offense: War crime, an offense under section 1(a) (3) of the Nazis and Nazi Collaborators (Punishment) Law, 1950, and section 23 of the Criminal Code Ordinance, 1936.

Particulars of Offense: The accused, in the period of the Second World War, in Germany and other Axis states and in areas occupied by them, committed acts constituting a war crime in that, together with others, he caused the ill-treatment, deportation and murder of Jewish inhabitants of the states occupied by Germany and other Axis states.

The accused committed these acts whilst functioning in the capacities specified in the first count.

NINTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, between the years 1940 and 1942, in Poland, then occupied by Germany, committed acts constituting a crime against humanity in that, together with others, he caused the deportation of over half a million Polish civilians from their places of resi-

Extracts from the "Nazis and Nazi Collaborators (Punishment) Law" passed in Israel in 1950

1. (a) A person who has committed one of the following offences–

(i) done, during the period of the Nazi regime, in an enemy country, an act constituting a crime against the Jewish people;

(ii) done, during the period of the Nazi regime, in an enemy country, an act constituting a crime against humanity;

(iii) done, during the period of the Second World War, in an enemy country, an act constituting a war crime,

–is liable to the death penalty.

(b) In this section–

"crime against the Jewish people" means any of the following acts, committed with intent to destroy the Jewish people in whole or in part: (i) killing Jews; (ii) causing bodily or mental harm to Jews; (iii) placing Jews in living conditions calculated to bring about their physical destruction; (iv) imposing measures intended to prevent births among Jews; (v) forcibly transferring Jewish children to another national or religious group; (vi) destroying or desecrating Jewish religious or cultural assets or values; (vii) inciting to hatred of Jews;

"crime against humanity" means any of the following acts:

murder, extermination, enslavement, starvation or deportation and other inhumane acts committed against any civilian population, and persecution on national, racial, religious or political grounds;

"war crime" means any of the following acts: murder, ill-treatment or deportation to forced labour or for any other purpose, of civilian population of or in occupied territory; murder or ill-treatment of prisoners of war or persons on the seas; killing of hostages; plunder of public or private property; wanton destruction of cities, towns or villages; and devastation not justified by military necessity.

3. (a) A person who, during the period of the Nazi regime, in an enemy country, was a member of, or held any post or exercised any function in, an enemy organization is liable to imprisonment for a term not exceeding seven years.

(b) In this section, "enemy organization" means–

(i) a body of persons which, under article 9 of the Charter of the International Military Tribunal, annexed to the Four-Power Agreement of the 8th August, 1945, on the trial of the major war criminals, has been declared, by a judgement of that tribunal, to be a criminal organization; (ii) any other body of persons which existed in an enemy country and the object or one of the objects of which was to carry out or assist in carrying out actions of an enemy administration directed against persecuted persons.

dence with intent to settle German families in those places.

The Polish deportees were in part transferred to Germany and German-occupied areas for the purpose of employing and detaining them under conditions of enslavement, coercion and terrorism, in part abandoned in other regions of Poland and German-occupied Eastern areas, in part concentrated in labor camps organized by the S.S. under inhuman conditions and in part transferred to Germany for the purpose of re-Germanization (Rueckverdeutschung).

The accused committed these acts under a special appointment dated December 1939, by which the head of the Security Police in Berlin empowered him to act as officer in charge of the evacuation of civilian population.

TENTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in 1941, in the then German-occupied parts of Yugoslavia, committed acts constituting a crime against humanity in that, ogether with others, he caused the deportation of over 14,000 Slovene civilians from their places of residence with a view to settling German families in their stead. The Slovene deportees were transferred to the Serbian part of Yugoslavia by coercive, terrorist measures and under inhuman conditions.

The accused committed these acts under his special appointment referred to in the ninth count.

ELEVENTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in the period of the Second World War, committed acts constituting a crime against humanity in Germany and German-occupied areas, in that, together with others, he caused the deportation from their places of residence of tens of thousands of Gypsies, their concentration in places of concentration and their transportation to extermination camps in German-occupied Eastern regions for the purpose of murdering them.

The accused committed these acts under his special appointment referred to in the ninth count.

TWELFTH COUNT

Nature of Offense: (Same as in Fifth Count).

Particulars of Offense: The accused, in 1942, committed acts constituting a crime against humanity in that, together with others, he caused the deportation of approximately 100 children, civilians of the village of Lidice in Czechoslovakia, their transportation to Poland and their murder there.

The accused committed these acts in the discharge of his functions in the Gestapo in Berlin.

THIRTEENTH COUNT

Nature of Offense: Membership in a hostile organization, an offense under section 3(a) of the Nazis and Nazi Collaborators (Punishment Law, 1950).

Particulars of Offense: The accused, in the period of the Nazi regime in Germany was a member of the organization known as Schutzstaffeln der N.S.D.A.P. (S.S.) and attained during his service in that organization the rank of S.S.-Obersturmbann-Fuehrer.

This organization was declared a criminal organization by judgment of the International Military Tribunal dated October 1, 1946, in accordance with article 9 of the Charter of the Tribunal annexed to the Four-Power Agreement of August 8, 1945, concerning the trial of the major war criminals.

FOURTEENTH COUNT

(Similar to Thirteenth Count, but dealing with membership in the SD, the "Sicherheitsdienst des Reichsfuehrers SS.")

FIFTEENTH COUNT

(Similar to Thirteenth Count, but dealing with membership in the Gestapo.)

YOU ASK – WE ANSWER

"You keep on writing about former nazis back in prominent positions in West Germany; at the same time I see short news items about all sorts of concentration camp guards and so on being tried in the West German courts. There seems to be some disparity here. Can you explain it?"

L. T., London

Both the reports of the nazis back in power, and the reports of the nazis on trial are true, and there is a relatively simple explanation of this apparent contradiction. World opinion has forced the West German authorities to do something about the number of unhung murderers at large, and they are doing it by trying quite a number of the small fry, thus hoping to divert attention from the big shots.

In the past two or three years, since the world began to pay attention to the dangerous situation in West Germany, there have been quite a number of trials of nazi criminals; in almost all cases they have been minor figures such as concentration camp guards. These bully boys richly deserved the sentences which they received; but they were only the subordinates. Practically the only prominent person to be put on trial was General Bach-Zelewski and he was not tried because of war crimes, but because he had murdered another nazi back in 1934. In addition, General Bach-Zelewski had been blacklisted by his old friends in high places because he had testified for the prosecution at the Nuremberg War Crimes Trials.

On the other hand, not one single one of the high government officials, judges or police officers known to be guilty of war crimes and crimes against humanity has been put on trial. In a very few cases, such as Minister Theodor Oberlaender, they have had to resign, or have been suspended from office, but this has only happened under great public pressure.

To generalise, permanent civil servants, judges, professional soldiers, and well-to-do businessmen feel quite safe in West Germany today, whatever crimes they may have committed in the nazi period; lower-ranking SS men and assorted nazi roughnecks who have not got influential friends may find themselves thrown to the wolves.

New Books from the GDR

Old Land — New People. A collection of short stories from the German Democratic Republic. Published by Seven Seas Books, Berlin.

What sort of work is being done today by the younger generation of writers in the German Democratic Republic? A good way of finding out is to read "Old Land – New People", a collection of short stories by nine writers which has just been published in Berlin.

This well-printed paper-back presents a cross-section of the writing done by lesser-known authors, and is a must for anyone interested in Democratic Germany. For many of the stories, the backdrop is provided by the bloody last days of the Hitler era, but this is, and must be, a main theme in any modern German writing. My only criticism of the collection would be that though the new spirit in the countryside is dealt with at length in several stories, the socialistic transformation in industry is very inadequately reflected. I hope this lack of balance may be made up in a second volume of short stories now being planned.

The stories are excellently translated by Joan Becker, occasional contributor to GERMAN REPORT.

Revolt of the Fishermen of Santa Barbara — A Price on His Head. Two short novels by Anna Seghers. Published by Seven Seas Books, Berlin.

Another excellent volume in the series of English translations of contemporary writers living in the German Democratic Republic produced in Berlin by Seven Seas Books. This volume contains "The Revolt of the Fishermen", with which Anna Seghers made her name in German writing in the 1920s, and "A Price on His Head", a study of life in a village as the nazis were coming to power.

J. P.

All Seven Seas Books may be obtained from good bookshops in Britain: the British distributors are:
Collet's Holdings, Ltd.
45 Museum Street
London W.C. 1

Information on sales outlets in other countries may be obtained from:
Seven Seas Publishers
Glinka Strasse 13
Berlin W 8
German Democratic Republic

BERLIN NOTEBOOK

By John Peet

A very interesting side-light on the prevailing mental climate in top West German circles is provided by the election campaign which is just starting up for the West German general election in early autumn. In the first post-war elections most of the candidates, even the most unlikely ones, made some attempt to present themselves as anti-nazis, or at least as simple honest men who had nothing to do with politics during the Hitler period.

That time has long passed, and in the present campaign several prominent candidates find themselves under fire because they were in fact opposed to Hitler.

At the moment this campaign, inspired by the Christian Democrats, is concentrated upon Herr Willy Brandt, Social Democratic candidate for Chancellor. I can find very little good to say for Herr Brandt: he is an opportunist place-seeker of the finest water, a firm supporter of atom bombs for West Germany, and a "Social Democrat" of such an extreme right-wing type that he makes Hugh Gaitskell look like a raging revolutionary. But one thing is quite certain: he was never a nazi. When Hitler came to power he emigrated to Scandinavia; he was deprived of German citizenship by the nazis in 1938; and he played a role in the anti-nazi movement in Norway and Sweden.

Today, the fact that he spent the nazi years outside Germany is being used as a stick to beat him with. Franz Josef Strauss, West German Defence Minister, and former nazi indoctrination officer in the Wehrmacht, stated in a recent speech: "What was Herr Brandt doing outside the German frontiers for those twelve years? We know what we were doing inside Germany". Hermann Hoecherl, Christian Democratic M. P., who was a public prosecutor in the nazi courts, said: "Brandt is the sort of person who did not dare to risk his life in the fight inside Germany against the nazi rulers." Kai-Uwe von Hassel, Prime Minister of Schleswig-Holstein, former nazi lieutenant, stated: "He is a man who abandoned the German community when it appeared dangerous to him personally."

That is just a small selection. In the West German parliament on March 8th, Chancellor Adenauer was asked whether he shared the opinion that anti-nazi emigrants were unsuitable candidates for high office. He replied: "We should not reproach people solely for the fact that they emigrated for personal or political reasons."

Which means, translated into clear language: "If you had to flee Germany to escape concentration camp or gas chamber, or to fight Hitler from abroad, you are a suspicious character: if you stayed in Germany and drew a huge pension from the nazis, like I did, then you are perfectly all right."

* * *

"108,000 terror-stricken Britons fled abroad during 1960" the "Guardian" of Manchester reported on February 6th. To be truthful, it did not use quite those words. It said "Figures for overseas emigration in 1960 are not yet completed. A first guess suggests that about 108,000 emigrants left Britain for the Commonwealth overseas."

When I quote these figures, I do not wish to belittle the problem presented by the fact that a large number of people still emigrate from the German Democratic Republic to West Germany every year. I just wish to remind readers that the GDR is not the only country which people leave. Incidentally, it is easier and far cheaper to emigrate from the GDR to West Germany than it is to emigrate from Britain to Australia or Canada; and a far higher proportion of the inner-German movers turn round and come home again.

While on the subject of the so-called refugees, I must say I was sorry to note that the "Times" of London has fallen for one of the silliest and most time-worn West German propaganda statements on the subject. On March 6th, the venerable "Times", which otherwise has a pretty good record of factual reporting on German problems, carried a long story from Berlin about the refugees. It claimed that East Germany might gradually become depopulated, adding "The Federal Government fears that peoples of non-German stock, Slavs, Mongols, and even Chinese, may be brought in from the east to take their place..."

Apart from the fact that this weird suggestion is an attempt to play on racial prejudice, it is just wildly untrue. As a matter of fact, I thought that even the West German authorities had abandoned this story. It all started some seven or eight years ago, when Chancellor Adenauer blandly announced that "one million Chinese peasants" had been imported to Silesia, in south-west Poland. The fact that West German newspaper correspondents regularly visit Silesia, and that none of them ever reported meeting even a single Chinese, had no effect upon the old man, and he kept on repeating the statement, until he apparently forgot all about it.

Now the story, in a slightly different form, appears to have been warmed up by some West German official, and palmed off on the "Times".

* * *

Last week, I looked in for a couple of days at the Leipzig Fair, which is growing bigger, better and brighter every year. In fact it is getting so big and bustling that it is becoming something of an ordeal to attend, since every restaurant is crammed to the doors, every hotel is crowded out, and the traffic in the streets reminds me of central London before the introduction of recent parking restrictions.

In recent years I have always come back from the Leipzig Fair feeling rather like the legendary officer who arrived back in Britain after the retreat from Dunkirk in 1940 and could only murmur: "My dear, the noise: and the people".

But I must compliment the traffic police in Leipzig. Depite the permanent rush-hour character of the traffic, those I encountered showed exemplary patience. At one point I got my car hopelessly snarled half way across a complicated six-way crossing. The policeman on point duty would obviously have loved to crown me with his baton, but instead he forced a polite smile on his face, bowed very correctly from the waist, and in accents sweet and calm said: "Would the gentleman be so accomodating as to get his car out of the way of all the other traffic."

My impression of Leipzig? The police are wonderful.

* * *

It is always rather difficult to get words and names right in another language. I was charmed to see that "Neues Deutschland", organ of the Socialist Unity Party, commenting on the first American steel firms to exhibit at the Leipzig Fair, called them "Sutton Steal Corporation" and "National Steal Corporation".

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